

**REMARKS**

Please reconsider the application in view of the above amendments and the following remarks. Applicant thanks the Examiner for carefully considering this application.

**Disposition of Claims**

Claims 1, 2, 4, 5, 7, and 9 were pending in the present application. By way of this reply, claims 2, 4, 5, and 9 are cancelled without prejudice or disclaimer. Also by way of this reply, claims 11-19 are added. Accordingly, claims 1, 7, and 11-19 are now pending in the present application. Claims 1 and 7 are independent. The remaining claims depend, either directly or indirectly, from claims 1 and 7.

**Request for Information**

The Examiner requests that the Applicant submit information under 37 CFR §1.105. The Examiner asserts the request for information is necessary because of the language found in the independent claims. *See*, Office Action dated November 1, 2007, at pages 2-4. Applicant respectfully asserts the requested information is not readily available. Applicant believes a statement that the information sought is not readily available will be accepted by the USPTO as a complete reply. Accordingly, withdrawal of this request for information is respectfully requested.

**Drawings Objections**

The Examiner objects to the drawings under 37 CFR §1.83(a). Specifically, the Examiner objects to the drawings because the language of the pending claims is not found within the drawings. *See*, Office Action dated November 1, 2007, at page 4. By way of this reply,

claims 1 and 7 are amended and claims 11-19 are newly added. Applicant respectfully asserts that although minor differences may exist between the words in the originally filed drawings and the language of pending claims 1, 7, and 11-19, each and every feature of the pending claims is found in the originally filed drawings and specification, as required by 37 CFR §1.83(a). Accordingly, withdrawal of this objection is respectfully requested.

### **Specification Objections**

The Examiner objects to the Abstract for not concisely reflecting the claimed invention. *See*, Office Action dated November 1, 2007, at page 6. By way of this reply, a substitute abstract is provided that concisely reflects the claimed invention. Accordingly, withdrawal of this objection is respectfully requested.

### **Rejections under 35 U.S.C. §112**

Claims 1, 2, 4, 5, 7, and 9 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards of the invention. By way of this reply, claims 2, 4, 5, and 9 are cancelled and thus the rejection is moot as to those claims. As for the remaining claims, for the reasons set forth below, this rejection is respectfully traversed.

Amended independent claim 1 recites, in part, “providing a compensation schedule to the prospect participant, wherein the compensation schedule comprises a first option and a second option for compensating the prospect participant...receiving a compensation selection from the prospect participant, wherein the compensation selection comprises one selected from a group consisting of the first option and the second option...compensating the prospecting participant according to the compensation selection.” Amended independent claim 7 recites

similar limitations. It is explicitly clear from the amended independent claims that (i) a compensation schedule is provided to the prospect participant; (ii) the compensation schedule includes at least two options for compensating the prospect participant; (iii) a compensation selection is received from the prospect participant including one of the at least two options; and (iv) the prospect participant is compensated according to the compensation selection. Applicant respectfully asserts the existence and use of the compensation schedule is explicitly clear from the amended independent claims. Accordingly, withdrawal of this rejection is respectfully requested.

#### **Rejections under 35 U.S.C. §102**

Claims 1, 2, 4, 5, 7, and 9 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Publication No. 2002/0188500 (hereinafter "Kwok"). By way of this reply, claims 2, 4, 5, and 9 are cancelled and thus the rejection is moot as to those claims. As for the remaining claims, for the reasons set forth below, this rejection is respectfully traversed.

As evidenced by the enclosed 37 C.F.R. §1.131 declaration and attached submissions, the claimed invention (i) was conceived on or before October 11, 2000, which is prior to the effective filing date of Kwok, *i.e.*, prior to October 30, 2000, and (ii) was subsequently constructively reduced to practice with due diligence exercised by the inventor. Accordingly, Kwok is not prior art to the present application and withdrawal of the 35 U.S.C. §102(e) rejection is respectfully requested.

#### **Conclusion**

Applicant believes this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise,

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the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 09469/070001; 94.0046).

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Respectfully submitted,

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Enclosure (37 C.F.R. §1.131 declaration and attached submissions)